

REMARKS

Claims 44-48 and 51-63 were examined in the most recent office action, dated April 11, 2006. Applicants appreciate the allowance of claims 61 and 62, and the indication that claims 47, 48, 51, 57, and 58 would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims. Claims 45, 46, and 63 stand rejected for allegedly lacking written description, and claims 55 and 59 stand rejected for allegedly being indefinite. Claims 44-46, 52-56, 59, and 60 stand rejected as either allegedly anticipated by Gieling, U.S. Patent No. 5,144,780 or allegedly obvious over Gieling in view of Sasajima, U.S. Patent No. 4,867,599.

Claims 45, 46, and 63 Comply with the Written Description Requirement.

Claims 45, 46, and 63 stand rejected under 35 U.S.C. § 112, first paragraph for failing to comply with the written description requirement because the claim term “flexible arms that are normally biased away from one another” is allegedly not supported by the detailed description. While applicants respectively assert that one of ordinary skill or art would understand that, based on the specification and drawings, the specification supports this claim term, applicants have amended to claims to read on the language of the detailed description. Accordingly, the claims now read that the arms have a normal biased position, which, as noted in paragraph 2 of the office action, has support in the specification.

Claims 55 and 59 are not Indefinite.

Claim 55 stands rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness because the claim term “the front wall” lacks antecedent basis. Claim 55 has been amended to recite “the front side”, which has antecedent basis in claim 53.

Claim 59 also stands rejected for indefiniteness because the examiner did not understand whether the clip or the clip and the roller trays and the divider bars was being claimed. It is respectfully submitted that claim 59 is definite because it does not recite roller trays and now recites a clip and divider assembly. It is believed that the examiner meant to reject claim 60. Claim 60 has been amended to only recite the clip and divider assembly. Accordingly, both claims 55 and 59 are definite, and applicant respectfully requests withdrawal of this rejection.

Claims 44-48 and 52 are Allowable.

As amended, applicant respectfully requests withdrawal of the rejection to claim 44 as anticipated by Gieling. The office action indicates that claim 51 would be allowable if rewritten to include the limitations of the base claim and any intervening claims. Claim 44 has been amended to include the subject matter of claim 51. While the subject matter added to claim 44 does not track the language of claim 51 directly, it is submitted that the current language more closely tracks the disclosure and also includes the same subject matter that rendered claim 51 novel and non-obvious.

Claim 44 now recites, in part, “a divider bar selectively engaged in the slot to divide the plurality of roller trays into two dispensing roller surfaces,” and the specification recites that “The purpose for the slot 68 is to engage and receiveably retain a removable, elongated divider bar member 70 that may be selectively placed in the roller track system to divide a singular large dispensing surface 72... into a first dispensing surface 76 and second dispensing surface 78.” Specification, page 8, lines 12-16. Accordingly, claim 44 is now allowable. Claims 45-48 and 52 depend from claim 44 and are allowable for at least the same reasons.

Claims 53-56, 59, and 60 are Allowable.

As amended, applicant respectfully requests withdrawal of the rejection to claim 53 as anticipated by Gieling. Claim 53 has been amended to recite the structure of the divider, which is structure that was indicated to be allowable in dependent claim 51. It is respectfully submitted that claim 53 is allowable for the same reasons that claim 44 is allowable. None of the cited references discloses or suggests a divider selectively placeable in the slot of a clip. Accordingly, claim 53 is allowable. Dependent claims 54-56, 59, and 60 are allowable for at least the same reasons.

Claims 57 and 58 are Allowable.

The office action indicates that claims 57 and 58 would be allowable if rewritten independent form including the limitations of the base claim and all intervening claims. Both of claims 57 and 58 have been amended to recite the limitations of previously filed claims 53 and 56, from which they previously depended. Accordingly, claims 57 and 58 are allowable over the art of record.

CONCLUSION

In view of the foregoing remarks, the claims as now appearing in this application are in good and proper form for allowance. A favorable action on the part of the examiner is respectfully solicited. If the examiner believes a telephone conference would expedite prosecution of the subject application, the examiner is invited to call the undersigned attorney.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 29968/38059A/US.

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Respectfully submitted,

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